(306)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. No. 1932 of 2004

Petitioners

1. Khwaja Gulam Ahmed, Aged abut 32 years, S/o Shri G.M. Ahmed, District President M.p. Abnubandhit Kustha Karmchari Samiti, Ambikapur, Dist. Sarguja (Chhattisgarh)

2. Ashok Kumar Pandey, Aged about 33 years, S/o Late Shri Rajaram Pandey, NMA, Sector-Wadrafnagar, Dist. Sarguja (Chhattisgarh)

3. Bihari Lal Singh, Aged about 31 years, S/o Shri Ram Chandra Singh, N.M.A. Sector – Deonagar, Ramanujnagar, District Sarguja (Chhattisgarh)

4. Neraj Kumar Singh, Aged about 32 years, S/o Shri Bimlesh Singh, N.M.A. Sector – Bhusu, Sitapur, Dist. Sarguja (Chhattisgarh)

5. Raj Mangal Singh, Aged about 33 years, S/o Shri Harihar Singh, R/o Kedarpur, Dist. Sarguja (Chhattisgarh)

6. Ramesh Kumar Rajwade, Aged about 30 years, S/o Shri Ram Pyari Rajwade, R/o PHC-7, Bhatgara (Uatri), Dist. Sarguja (Chhattisgarh)

Prabhu Narayan Sahu, Aged about 30 years, S/o Shri Jokhan Ram Sahu, N.M.A. Sector – Jainagar, R/o Village Rampa, P.O. Surajpur, District Sarguja, (Chhattisgarh)

Versus

Respondents

1. State of Chhattisgahr, Through the Secretary, Public Health & Family Welfare, D.K.S. Bhawan, Mantralaya, Raipur (Chhattisgarh)
2. Director Health Services, Government of Chhattisgarh, Raipur (Chhattisgarh)
3. District Leprosy Officer, District – Surguja (Chhattisgarh).
4. Chief Medical & Health Officer, Surguja (Chhattisgarh)
5. District Collector, Surguja (Chhattisgarh)

(307)

6. Jila Kustha Unmulan Samiti, Through its Secretary, Sarguja (Chhattisgarh)
7. Union of India, Through the Secretary/Ministry Department of Health Family Welfare, New Delhi.

SB: Hon'ble Mr. Justice **Satish K. Agnihotri, J**

Shri Jitendra Pali, Advocate for the petitioners.
Shri S. K. Beriwal, Standing Counsel for the respondent No. 7.
Smt. Anju Ahuja, Deputy Govt. Advocate for the respondents No. 1 to 6.

ORDER

(Passed on this 21st day of March, 2007)

The following order of the Court is passed by **Satish K. Agnihotri, J.**

1. By this petition under Article 226/227 of the Constitution of India the petitioners seek to challenge the legality, validity and propriety of the order dated 22.6.2004 (Annexure P/1), whereby their services have been terminated, in view of the order issued by the Government of India, Directorate of Health Services, New Delhi, after one month of the order dated 22.6.2004.
2. The petitioners were appointed of various posts in the year 1994 vide various orders (Annexure P/3) under the terms and conditions laid down in the said orders. Thereafter the petitioners continued to work on the same post till the impugned order dated 22.6.2004 (Annexure P/1) was passed giving effect to after a period of one month from that date.
3. Learned counsel appearing for the petitioners, as well as for the respondents submit that the facts and question of law involved in the present petition is similar to that in the Writ Petition No. 1794/2003 (Santosh Kumar Sahu Vs. State of Chhattisgarh & others) which was disposed of vide order dated 26.6.2003, wherein it has been directed that "if the petitioner makes a representation within a period of one month from today, concerned authority shall look into the matter and if

308

the services of the petitioner can be absorbed then they can consider his case for absorption/appointment."

4. In view of the above, this petition stands disposed of with the direction that if the petitioners make a representation to the concerned authority within a period of one month from today, it shall consider and decide the same on its own merits, in accordance with law, within a reasonable period. If it is permitted to absorb the petitioners, then they should consider their cases for absorption/re-appointment in services. Consequently, M(W)P No. 1732/2004 and 4025/2004 stand disposed of.

Thakur

Sd/-
Satish K. Agnihotri
Judge